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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,136	11/13/2003	Peter D. Petrov	P03015	9942
39621	7590	08/01/2005	EXAMINER	
SHAoyi ALEXANDER LIAO 12 SOUTH FIRST STREET, SUITE 905 SAN JOSE, CA 95113			LEA EDMONDS, LISA S	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,136

Applicant(s)

PETROV ET AL.

Examiner

Lisa Lea-Edmonds

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-16 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/13/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The examiner of record has considered the information disclosure statement (IDS) submitted on 11/13/03.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 5-7, 11-13, 15 and 16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. With respect to claims 5-7, 11-13, 15 and 16, applicant's specification lacks a written description of the dimensions of the tray loader as claimed. It appears, because of applicant lack of written description, that applicant is relying upon an industry standard for the dimensions of the tray loader as claimed. If this is so, applicant is requested to provide, in the specification and the claims, the standard used. Applicant is also, warned against entering new matter into the specification.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 8 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claim 8 recites the limitation "said connector" in line 8. There is insufficient antecedent basis for this limitation in the claim; also it is unclear, to the examiner of record, if applicant's "said connector" refers to "a first connector" in line 7 or to a different connector not yet named. Claim 10 recites the limitation "said first connector of said tray loader" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim; also it is unclear, to the examiner of record, if applicant's "said first connector of said tray loader" refers to "a first connector of said small form factor disk drive" in claim 8, or to a different connector not yet named.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 8, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Roganti et al. (6188571). With respect to claims 1-3, Roganti et al. teaches a docking module (10) comprising a housing member (25) having a plurality of slots (40); a plurality of tray loaders (50); a connecting means (back plane 85); small form factor disk drive (15a-15c) having a first connector (60A); an engaging and disengaging means (65); a slide means (70) within the housing member (25) for moving the tray loaders (50) within the housing member (25); wherein the tray loaders (50) consists of a second connector (90A), and a third connector (90) connected to the second connector (90A), wherein the connecting means (back plane 85) has a fourth connector (210) and a plurality of fifth connectors (200, 205, 215) as claimed (see for

example figures 1-10B). With respect to claims 8 and 9, Roganti et al. teaches a docking module (10) comprising a housing member (25) having a plurality of slots (40); a plurality of tray loaders (50); a connecting means (back plane 85); small form factor disk drive (15a-15c) having a first connector (60A); an engaging and disengaging means (65); a slide means (70) within the housing member (25) for moving the tray loaders (50) within the housing member (25); wherein the connecting means consists of a back plane having a second connector (90) for connecting to the host, and a plurality of third connector (90A) fir removably connecting to the first connector (60A) as claimed (see for example figures 1-10B).

8. Claim 14 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dunn et al. (5392192). With respect to claim 14, Dunn et al. teaches a tray loader (20) for holding a small form factor disk drives (60), comprising a plastic cover (78) for holding said small form factor disk drive (60) and an EMI shield (40, 77, 88) as claimed (see for example figures 1-4).

Allowable Subject Matter

9. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: as to claim 4, patentability resides, at least in part, in the engaging and disengaging means being a button attached to a lever mechanism for disengaging the third connector of the tray loader from the fifth connector, in combination with the other limitations of the base claims.

11. Claims 5-7 and 10-13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

12. The following is a statement of reasons for the indication of allowable subject matter: as to claims 5-7, although claims 5-7 depend from claim 4 and are therefore allowable for at least the reason stated above, however, the above 112 rejection of claim 5 must be addressed prior to allowance of claims 5-7; as to claims 10-13, patentability resides, at least in part, in the engaging and disengaging means being a button attached to a lever mechanism for disengaging the first connector from the third connector, in combination with the other limitations of the base claims;

13. Claims 15 and 16 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

14. The following is a statement of reasons for the indication of allowable subject matter: as to claims 15 and 16, patentability resides, at least in part, in the combination of the docking module comprising a housing member having at least two slots, two tray loaders, two small form factor disk drive having first connector, an EMI shield, a PCBA back plane having connectors, a button attached to a lever mechanism for disengaging the connectors, and a slide mount as claimed.


Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please note the teachings of Krum et al. (577845), Tanzer et al. (6052278), Kim et al. (6918174), Bolognia et al. (6247944), Rabinovitz (6856508), Weng et al. (6836406) and Cheng (6373695).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 571-272-2043. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lisa Lea-Edmonds
Primary Examiner
Art Unit 2835

2005-07-28